

254 Kilburn High Road, London, NW6 2BS

London Borough of Camden

**PLANNING STATEMENT
(revised application)**

May 2015



113 The Timberyard, Drysdale Street,

London, N1 6ND

Tel: 020 7749 7686

www.cma-planning.co.uk

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ADDENDUM STATEMENT

This Statement has been prepared for a re-submission of a previously considered application. This previous application (reference 2014/3244/P) was for the following,

“Redevelopment of the site (following demolition of existing buildings) to provide a mixed use development, comprising the erection of six storey building (with set back top floor) to provide 989 sqm of commercial space (Classes B1 and B8) and 62 dwellings plus cycle parking, 2x disabled car parking bays, refuse/recycling facilities and access together with landscaping including outdoor amenity space.”

This previous application was considered at LBC Committee in December 2014 with a positive recommendation for approval from Officers, but refused by Members for two main reasons, as set out below. This revised application aims to address the concerns raised by Members. This Addendum sets out how the scheme has been amended, whilst the remainder of this Planning Statement is as originally submitted, with numbers and details updated to reflect the current proposals.

Internal Daylight Levels

The first point raised by Members was as follows,

“The proposed development, by reason of its scale, bulk and associated deep floor plan would result in an unacceptable proportion of the habitable rooms providing a poor standard of accommodation for future occupants by way of daylight amenity.....”

In terms of the first point, this floor plan of the previous application illustrates the habitable rooms on the first floor which, sometimes marginally, did not meet the required the daylight standards.



Following on from the decision, the design team extensively studied the floor plan to see where improvements could be made to improve daylight levels to address the first reason for refusal. The following changes are now proposed,

- Depth of some bedrooms have been reduced by increasing bathroom size. The area of the bedrooms are still above the minimum area as described in the London Plan Housing SPG.
- Adjustment made to the position of internal walls creating a less deep open living/kitchen room. The area still complies with the London Plan Housing SPG standards.
- Fixed wardrobes introduced which reduces the depth and area of the bedroom. The bedroom area remaining still complies with the London Plan Housing SPG.
- A stack of balconies has been removed on the south west elevation. These were secondary balconies to these particular flats, with the first / main retained balcony overlooking the Park. Removal of the balconies improves internal light levels.
- Introduction of a small side slot window to flat 111 and above. The window would be obscure glazed and fixed to prevent any potential overlooking.
- Depth of some of the open plan living/kitchen rooms has been reduced by an increase in the area of a storage cupboard. The remaining room area still complies with London Housing SPG.

Details of these changes are set out at page 134 of the Design and Access Statement onwards. It should be noted these amendments involve no changes to the level of floorspace proposed, nor the scale/bulk/massing or overall appearance of the scheme, neither do they raise any new issues not considered previously, or would prejudice any adjoining neighbours.

The updated submitted Daylight Report assesses this scheme revised to respond to comments from the Council. This shows that for the proposed scheme, of the 187 rooms tested, 169 (90%) would meet the ADF target values for their specific room type, with many rooms achieving values far in excess of the recommended minimum. These results are a significant improvement to the 78.6% pass rate the 2014/3244 application scheme achieved.

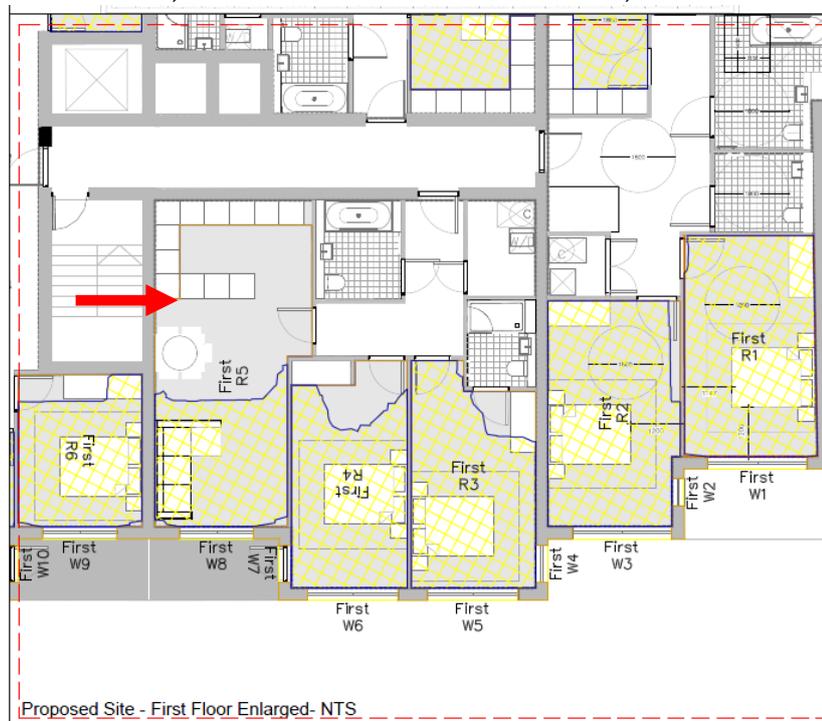
The ADF analysis results shows that all rooms analysed will see ADF values consistent with the guidance given in the BRE Report, or in excess of values normally seen within new development in urban areas. It should be noted that a 90% pass figure is reasonably high, given the urban context, and better than many other schemes achieve.

In terms of the 18 rooms that do not pass, these are all living, kitchen dining (LKD) rooms, being rooms R25, R26, R31 and R32 on floors first to fourth, along with room R5 on first and second floor. In all cases, the reason why they do not pass is that these LKD rooms are relatively deep, with the kitchen at the back of the unit. It is this kitchen element which is not that well lit, but equally, it is generally accepted that there is less need for daylight within a kitchen. In addition, and in all cases for these flats, the bedrooms pass the relevant ADF tests, so no one flat has more than one room which does not pass. Furthermore, flats R25, R26, R31 and R32 all benefit from Park views, which is also considered to offset any possible concerns over daylight levels.

It should also be noted that in terms of these 18 units, they fall within all tenures, with rooms R25, R26 and R31 all being market sale units, and R32 and R5 being affordable.

In addition to the ADF testing, the Daylight Report has been expanded and now also includes an analysis of the daylight penetration patterns within the proposed residential accommodation. These daylight distribution results show that of the 187 rooms tested, 185 (99%) would see daylight penetration to over 80% of their area and would be fully compliant with the guidance given in the BRE Report.

Where the two transgressions occur, room R5 at first and second floor, it will still see daylight penetration concentrated in the lounge element of the two rooms, as this diagram here shows, with the yellow shading. It should also be noted that the other two habitable rooms within these specific two flats both pass, which would balance out any possible harm.



This diagram here of the complete first floor (being the worst case) shows the level of daylight distribution within the proposed flats with the yellow shading, and as can be seen, good levels are achieved in all other rooms.



The analysis shows the overwhelming majority of rooms assessed would meet or exceed the guideline values given in the British Standard for daylight amenity, with the ADF compliance rate increasing from 78.6% to 90%, and the majority of windows serving the rooms would meet the BRE Report criteria for sunlight amenity.

As such, and given the high level of compliance, it is considered the levels of daylight and sunlight amenity achieved are consistent with, and in excess of the expectations of the area and the that first reason for refusal has been addressed.

Affordable Housing Mix

The second point raised by Members was as follows,

"The proposed development, by reason of the small proportion of family sized affordable units in the residential mix, would fail to contribute to the creation of mixed and inclusive communities....."

In terms of the second point, the issue was the low proportion of family sized affordable units in the residential mix. Below is a table showing the affordable mix for the previous application proposal, and how it has been revised as part of this submission.

Tenure	Unit Type	Application Unit Mix	Revised Unit Mix
Affordable Rent	1 Bed	6	-
Affordable Rent	2 Bed	6	4
Social Rent	3 Bed	3	4
Shared Ownership	1 Bed	1	4
Shared Ownership	2 Bed	1	3
Shared Ownership	3 Bed	1	-
	Total	18	15
Total Residential Units		62	60
Tenure ratio		83:17	61:39
Affordable %		27%	25%
Family affordable rented units		20%	50%
S106 / CIL		£0.64m	£1.45m

As can be seen, the original application had 62 units, whilst now 60 are proposed. It is also worth noting that since the original application was considered, Camden CIL has been introduced, and as can be seen, the CIL is higher than the previously agreed s106 figure. As such there will be less affordable housing than previously (ie the reduction from 27% to 25%), as one is just a direct result of the other. However, the financial contributions to be made to the Borough do increase significantly as a result.

In terms of the revised affordable mix, key changes are as follows,

- Affordable / Social Rent family provision increased from 20% to 50%
- Removal of the 3 bed Intermediate unit, due to concerns over affordability
- Tenure split now in line with the London Plan and Core Strategy at 60:40
- Number of affordable units reduced, but actual percentage only reduced by 2% (from 27% to 25%)
- Significant increase in s106 / CIL payments

As set out above, the scheme now meets the 50% family affordable / social rent target sought by Members and makes other changes to bring the mix more in line with policy objectives. The scheme would contribute to the creation of mixed and inclusive communities. As such, it is considered this reason has been addressed.

Other than these aspects, all other elements remain as previously submitted and considered, for which no issues were raised either by Officers, or Members. In summary, it is felt that these changes and additional supporting material address the comments made by Members and as such, the scheme should be considered acceptable in planning terms and planning permission should be granted for the application.

1.4 This document reviews the planning context for the issues associated with the development and considers recent relevant trends in the national planning debate. This document forms part of a series of reports submitted in support of the planning application and should therefore be read in conjunction with these other documents, as set out below.

- Design and Access Statement with townscape assessment of key views, photographs and photomontages, Lifetimes Homes and Wheelchair Accessibility details, and Site Waste Management Strategy by Claridge Architects;
- Application drawings including plan showing the site outlined in red and Schedule of Accommodation by Claridge Architects;
- Transport Assessment/Statement by Price & Myers;
- Flood Risk Assessment by Price & Myers;
- Construction Logistics Plan by Price & Myers;
- Energy Strategy Report by Price & Myers;
- Code for Sustainable Homes Pre-assessment by Price & Myers;
- BREEAM pre-assessment by Price & Myers;
- Daylight/Sunlight and Overshadowing Assessment, including Internal Daylight/Sunlight Assessment by GIA;
- Noise Assessment by Entran;
- Air Quality Assessment by Entran with Addendum and Checklist;
- Ecological Assessment by PJC Ecology;
- Arboriculture Assessment by PJC;
- Affordable Housing Toolkit (Viability Assessment) by Savills; and
- Land Contamination Assessment (desk top) by Jomas.

1.5 These proposals, as will be explained in the rest of this Statement, would contribute to the long term regeneration objectives for the area and assist in meeting the Borough's wider corporate and community objectives.

2.0 THE SITE AND SURROUNDINGS

The Site

- 2.1 A full description of the site and surrounding area is provided in the Design and Access Statement prepared by Claridge Architects. This report provides a detailed analysis of the site and surrounding area which was a key consideration in formulating the proposal.
- 2.2 In overall terms, the site extends to 0.2 hectares and has a small frontage onto Kilburn High Road comprising an access route to the wider site located to the rear of four storey Victorian buildings along Kilburn High Road and which backs onto Kilburn Grange Park, as shown below.



- 2.3 The vacant site itself comprises a single storey double height warehousing for storage, with some 3.5 storey buildings adjacent to the park boundary which are occupied by office facilities at ground floor and are vacant above. Existing useable space on site comprises the following,
- B1a office - 357 sqm (183 sqm at ground and 174 sqm on upper levels)
 - B1c light industrial - 253 sqm
 - B8 storage - 860 sqm
- 2.4 As such, this total 1470 sqm, of which 1296 sqm is on the ground floor
- 2.5 The site is not in a conservation area and there are no listed or locally listed buildings in close proximity, with the exception of the Black Lion Public House,

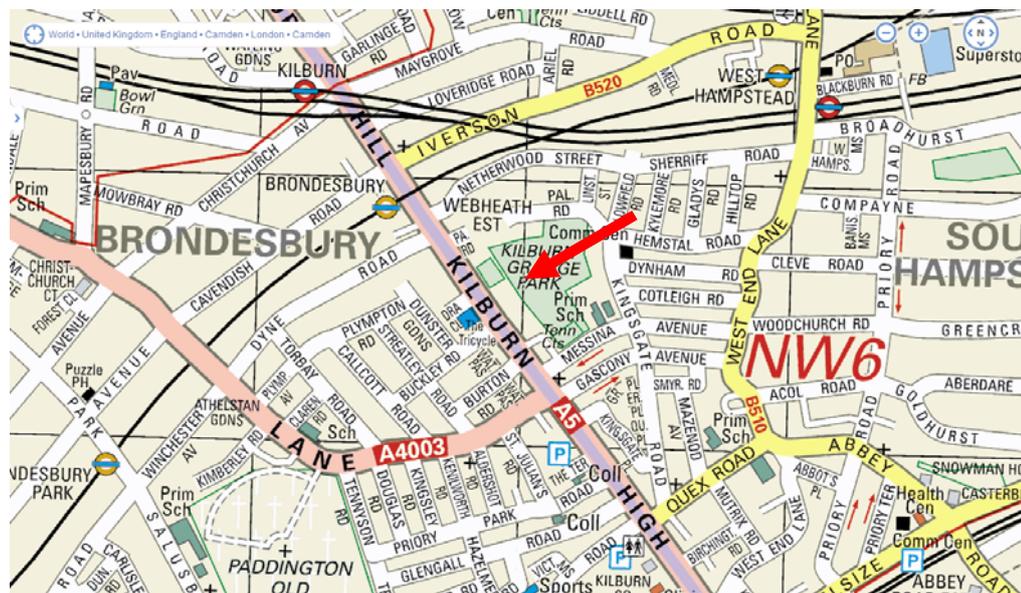
which adjoins to the north east. This is Grade II listed and details are set out in the Design & Access Statement (page 47).

- 2.6 The existing buildings on site are hidden from the streetscene along Kilburn High Road (as this photo here shows) and are screened from views from Kilburn Grange Park. Properties surrounding the site are generally Victorian properties and are primarily residential in use. The access to the site is poor, again as this photo shows, being very narrow, and not readily suitable for commercial uses, especially storage and distribution uses such as those currently operating from the site.



The Surroundings

- 2.7 The site lies on the eastern side of Kilburn High Road and is adjacent to the identified town centre of Kilburn High Road.
- 2.8 In terms of public transport, the site has excellent public transport accessed as evidenced by its PTAL rating of 6a as set out in the Transport Statement. The site is located in between Kilburn Park and Kilburn Underground stations. It is also close to Brondesbury Overground Station. Kilburn High Road is also a major bus route. The future end users of the development would therefore benefit greatly from the easy connection to the public transport network. More details are set out in the Transport Statement submitted with this application and can be seen on the map below.



- 2.9 The site is located on Kilburn High Road and the local area is mixed in character with a range of uses, including residential, retail, restaurants, offices and galleries. Kilburn Grange Park (an 8 acre park with children's play area, three tarmac tennis courts and a multi-use games area suitable for basketball or football, and floodlit games area with changing rooms), is adjacent to the site's eastern boundary, as shown below.



3.0 PLANNING HISTORY

3.1 Relevant history at the application site is as follows:

- PW9902785: An application was submitted for change of use of the North-West part of warehouse 2 into a martial arts school training centre (within Class D2 use). Refused permission 23/11/1999.
- CTP/H3/3/A/P1: An application was submitted for erection of a single storey building for use for storage purposes. Granted planning permission 12/07/1965.
- CTP/H3/3/A/27643: An application was submitted for erection of a single-storey building for use for storage purposes ancillary to the light industrial use of the remainder of the site. Granted planning permission 07/01/1979.
- 2015/0733/P: Prior approval for demolition of all buildings on site granted on 9th March 2015.

3.2 Furthermore, and as set out earlier, this is a resubmission of a scheme previously considered by the Borough in 2014 for this site, reference 2014/3244/P, for the following,

“Redevelopment of the site (following demolition of existing buildings) to provide a mixed use development, comprising the erection of six storey building (with set back top floor) to provide 989 sqm of commercial space (Classes B1 and B8) and 62 dwellings plus cycle parking, 2x disabled car parking bays, refuse/recycling facilities and access together with landscaping including outdoor amenity space.”

3.3 This previous application was submitted to the Council for consideration on 9th May 2014, with amendments made on 19th September. Then on 18th December, the application was considered at LBC Committee with recommendation for approval from Officers, but it was refused by Members for two reasons, as set out below.

“The proposed development, by reason of its scale, bulk and associated deep floor plan would result in an unacceptable proportion of the habitable rooms providing a poor standard of accommodation for future occupants by way of daylight amenity, contrary to policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

The proposed development, by reason of the small proportion of family sized affordable units in the residential mix, would fail to contribute to the creation of mixed and inclusive communities, contrary to CS6 (Providing quality homes) of the London Borough of Camden Local Development Framework Core Strategy and policy DP5 (Homes of different sizes) of the London Borough of Camden Local Development Framework Development Policies."

3.4 In the decision notice (dated 19th January 2015) the Council have also raised issues (reason for refusal numbers 3-12) relating to the delivery of a section 106 obligation, but confirm in the decision notice that these reasons for refusal could be overcome by entering into a S106 agreement.

3.5 The following planning history at adjoining sites is also relevant:

246 Kilburn High Road

3.6 2009/5625/P: An application was submitted for amendments to planning permission 2007/3467/P dated 12/10/2007 (Erection of building fronting Kilburn High Road comprising ground floor retail unit (Class A1) and 4 upper floors to provide 4 x 2-bedroom residential units, plus erection of a building to the rear comprising basement and ground floor (Class B1) business use and 3 upper floors to provide 3 x 3-bedroom flats and 3 x 2-bedroom flats with balconies and terraces) to remove basement and other internal alterations at ground floor level with associated revisions to the south east elevation. Application granted on 17/02/2010 subject to a S106 agreement.

3.7 2005/1186/P: An application was submitted for erection of a second floor roof extension and a first floor extension at front part of building, to create additional habitable floorspace for the existing two storey live/work unit. Application granted on 11/05/2005 subject to a S106 agreement.

248 Kilburn High Road

3.8 2014/2662/P: An application was submitted for the erection of 2 buildings, one part 4 and part 5 storey and the other part 2, part 3 and part 5 storey, to provide 14 self-contained flats (4x1 bed, 7x2 bed and 3x3 bed) including vehicular access via an undercroft in the building, roof terraces and landscaping. The application was heard at Committee on the 9th October 2014 and Members resolved to grant planning permission subject to a S106 agreement. Application granted on 29/01/2015 subject to a Section 106 agreement.

4.0 SUMMARY OF THE PROPOSED DEVELOPMENT

The Proposal

- 4.1 A full description of the proposed development is provided in the Design and Access Statement prepared by Claridge Architects which supports this planning application. This application proposes the following,

Demolition of existing buildings and redevelopment of the site to provide a mixed use development, comprising the erection of six storey building (with set back top floor) to provide 955 sqm of commercial space (use classes B1 and B8) and 60 dwellings plus cycle parking, refuse/recycling facilities and access together with landscaping including communal and private amenity space.

- 4.2 The proposals range in height from five to six storeys. The application proposes the creation of a high-quality residential development, to provide 60 flats. All flats would have access to a good size balcony or roof terrace. As set out earlier, the site adjoins Kilburn Grange Park, which would offer excellent amenity facilities to all future residents at the site.
- 4.3 The commercial space proposed could be used for a range of purposes, to include B1 uses (ie offices, light industrial such as workshops) and B8 uses (such as storage and distribution). The space comprises three units of 478 sqm, 305 sqm and 172 sqm (to total 955 sqm) and associated plant, amenity and servicing areas.
- 4.4 The development would accommodate the 60 dwellings (175 habitable rooms), with the tenure split being as follows.

	Core	1 bed	2 bed	3 bed	Total	Overall Floorspace
Market Sale	A, B & C	10	20	15	45	3470 sqm 75%
Affordable / Social Rent	C	-	4	4	8	715 sqm 15%
Intermediate	C	4	3	-	7	453 sqm 10%
Total Units	-	19	27	14	60	4638 sqm

- 4.5 In terms of affordable provision, as can be seen, this is proposed to be within Core C. The first and second floor of Core C would be provided as affordable and

social rent. On the third floor, four of the units would be intermediate, with one being market sale, whilst on the fourth floor, three of the units would be intermediate with two being market sale.

- 4.6 As such, the affordable / social rent provision is 8 units / 715 sqm, ie 15%. Intermediate provision is 7 units / 453 sqm, ie 10%. This results in overall affordable provision, in floorspace terms, of 1168 sqm or 25%, with a split between the affordable tenures of 61:39, in favour of affordable / social rent. An Affordable Housing Toolkit (Viability Assessment) by Savills has been prepared to support this provision.
- 4.7 Family provision of three bed homes is 14 units (23%), which is felt to be a good level given the location of the site. There is also a reasonable split between 1 bed units (19 units) and 2 bed units (27 units).
- 4.8 All the flats are orientated east-west with most habitable rooms getting direct sunlight and daylight at some point in the day. The flats are generous in area, exceed the statutory minimum areas as set out in both the London Plan and supplementary planning guidance. Each core serves no more than five flats per floor on the lower floors while Core B serves eight flats on the top floor.
- 4.9 The scheme has been innovatively designed to optimise the mixed use redevelopment of this sustainable brownfield site and the design concept is justified within the accompanying Design & Access Statement.
- 4.10 The scheme has been sensitively designed to ensure that the proposed height is in keeping with the character of the area and is not an intrusion in the streetscene, the redevelopment of the site would result in a significant enhancement in the appearance of this part of the area. The building has been designed to respect adjacent buildings and residential windows to ensure that there will be no impacts upon the amenity of surrounding area.
- 4.11 The proposal has been designed so that it could have been constructed to meet the now abolished requirements of Code for Sustainable Homes Level 4 for the residential units and the commercial units will achieve BREAAAM Excellent. Other sustainability features include the reuse of a brownfield highly accessible site, high density development maximising site potential and having a building that is highly insulated, reducing any heating or comfort cooling requirements.

- 4.12 In addition, the building has been carefully planned to make most apartments West or East facing and minimise heat loss to the North elevation following the principles of passive solar design.
- 4.13 In accordance with the Energy Hierarchy, passive design measures, energy efficient equipment and LZC technologies have been shown to provide a 43.9% improvement over the Building Regulations 2010 Target Emissions Rate (TER), as well as an overall 16.7% saving in carbon emissions from renewable technologies comprising 192 PV panels mounted onto the roof of the proposals. More details are also included in the Energy Report submitted with the application.
- 4.14 The building has been designed to be as accessible as is practical and could be constructed so all the residential units meet Lifetime Homes standards. Particular features include corridor widths and access within flats being suitable for wheelchair users. Six potential disabled dwellings would also be provided (ie 10%).
- 4.15 The development would be car free but two disabled parking spaces would be provided for the residential units. The proposal also provides adequate cycle parking (85 spaces). The site lies within a controlled parking zone and residents of the new apartments would not be able to obtain parking permits, which would be controlled via a standard Section 106 Agreement. The limited parking provisions at the site would encourage the use of public transport, walking or cycling, in line with local and national policy.
- 4.16 In summary, the proposal comprise:
- A total of 60 housing units comprising: 19 x 1, 27 x 2 and 14 x 3 homes.
 - Large private balconies or terraces to each new flat.
 - Secure cycle parking spaces (min 1.1 ratio per new flat)
 - All new homes are to be designed to Lifetime Home standards.
 - All new homes to achieve Code for Sustainable Homes Level 4 and the commercial units to achieve BREEAM Excellent.
 - 955 sqm of modern B1 / B8 commercial floorspace contained within three units.
 - A range of landscaped areas including private gardens and communal amenity space for the commercial units.
 - 10% of new homes (six units) designed to be suitable for disabled residents.

Pre-Application Consultation

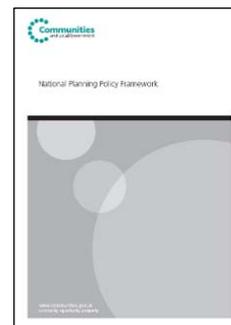
- 4.17 From the outset of the project the proposals have been discussed with the London Borough of Camden and whose comments and observations have helped to inform the submitted proposals. Discussions were held with various Officers in late 2013 and during 2014 prior to the submission of the first application, then during the course of the previous application and then again, prior to the submission of this revised application.

5.0 PLANNING POLICY BACKGROUND

5.1 All development proposals take place within the context of national, regional and local planning policy and recognised best practice. Within this section, the planning policy framework at national, regional and local levels against which the proposal should be considered is set out.

NATIONAL PLANNING POLICY

National Planning Policy Framework



5.2 In March 2012 the Government published the National Planning Policy Framework (NPPF) which forms a key part of the coalitions reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. The Framework gives guidance to local councils in drawing up local plans and on making decisions on planning applications. The NPPF also replaces all previous Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs).

5.3 The overarching objective of the NPPF is for the planning system to contribute to the achievement of sustainable development which is defined as comprising three dimensions from which the planning system needs to perform a number of roles, namely:

- an economic role;
- a social role; and
- an environmental role

5.4 The NPPF makes it clear that these roles should not be undertaken in isolation and that in order to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

5.5 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out- of- date, granting permission unless any adverse impacts of doing so

would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework which indicate development should be restricted.

- 5.6 The NPPF then sets out core planning principles, which should underpin both plan-making and decision-taking. These principles include:
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value; and
 - promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas.
- 5.7 In terms of housing, the NPPF states at paragraphs 49 and 50 that housing applications should be considered in the context of the presumption in favour of sustainable development and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 5.8 Section 7 addresses the principle of 'Good Design' and confirms the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. The NPPF adds that it is important to plan positively for the achievement of high quality and inclusive design for all development, and to also optimise the potential of the site to accommodate development.
- 5.9 The NPPF outlines that policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles, although it proper to seek to promote or reinforce local distinctiveness.

REGIONAL POLICY

The London Plan

5.10 The London Plan, published in March 2015 forms part of the Development Plan for the area. It provides a strategic framework for the Boroughs and sets out the Mayor's policies. The London Plan contains the Mayor's objectives for the city, which includes the strategic objectives for London, the most relevant of which are ensuring London is:



- “1. A city that meets the challenges of economic and population growth.*
- 2. An internationally competitive and successful city.*
- 3. A city of diverse, strong, secure and accessible neighbourhoods.*
- 4. A city that delights the senses.*
- 5. A city that becomes a world leader in improving the environment.*
- 6. A city where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities.”*

5.11 This is then brought forward in Policy 1.1, which seeks to deliver the strategic vision and objectives for London. This states,

“Growth and change in London will be managed in order to realise the Mayor's vision for London's sustainable development to 2031 set out in paragraph 1.52 and his commitment to ensuring all Londoners enjoy a good, and improving, quality of life sustainable over the life of this Plan and into the future.

Growth will be supported and managed across all parts of London to ensure it takes place within the current boundaries of Greater London without:

a encroaching on the Green Belt, or on London's protected open spaces

b having unacceptable impacts on the environment

The development of East London will be a particular priority to address existing need for development, regeneration and promotion of social and economic convergence with other parts of London and as the location of the largest opportunities for new homes and jobs.

....”

5.12 Chapter 3 of the London Plan focuses on London's people with Policy 3.3 seeking to ensure 42,389 new homes per year are delivered, offering a range of housing choices in terms of size and type. The Plan then sets targets for the provision of new homes within each London Borough at Table 3.1. For Camden it gives a figure of 8892 homes from 2015-2025, which results in an annual monitoring

target of 889 new homes, an increase from the previous London Plan figure of 665 new homes.

- 5.13 Policy 3.4 (Optimising Housing Potential) seeks to optimise housing output subject to local context, transport capacity and the density guidance set out in Table 3.2, as shown below. As outlined above, the site has an Accessibility Index (or PTAL) of 6 and is located within a Central setting, as defined by the London Plan. The average dwelling size of the proposal is 2.9 hr/unit. Given this, the relevant density bands are highlighted below.

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150–200 hr/ha	150–250 hr/ha	200–350 hr/ha
3.8–4.6 hr/unit	35–55 u/ha	35–65 u/ha	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha
Urban	150–250 hr/ha	200–450 hr/ha	200–700 hr/ha
3.8–4.6 hr/unit	35–65 u/ha	45–120 u/ha	45–185 u/ha
3.1–3.7 hr/unit	40–80 u/ha	55–145 u/ha	55–225 u/ha
2.7–3.0 hr/unit	50–95 u/ha	70–170 u/ha	70–260 u/ha
Central	150–300 hr/ha	300–650 hr/ha	650–1100 hr/ha
3.8–4.6 hr/unit	35–80 u/ha	65–170 u/ha	140–290 u/ha
3.1–3.7 hr/unit	40–100 u/ha	80–210 u/ha	175–355 u/ha
2.7–3.0 hr/unit	50–110 u/ha	100–240 u/ha	215–405 u/ha

- 5.14 Policy 3.5 (Quality and Design of Housing Developments) sets out the importance of high-quality design in housing development internally, externally and in the context of the wider environment. It also states proposals should incorporate minimum space standards that generally conform to Table 3.3, as shown here.

	Dwelling type (b) bedroom (p) persons-bedspaces	GIA sq m
Flats	1p	37
	1b2p	50
	2b3p	61
	2b4p	70
	3b4p	74
	3b5p	86
	3b6p	95
	4b5p	90
2 story houses	4b6p	99
	2b4p	83
	3b4p	87
	3b5p	96
	4b5p	100
3 storey houses	4b6p	107
	3b5p	102
	4b5p	106
	4b6p	113

- 5.15 Policy 3.8 Housing Choice seeks to ensure a genuine choice of homes that are affordable and meet the requirement for different types and sizes of dwellings in the highest quality environments.

- 5.16 Affordable housing is covered by Policy 3.11, which outlines that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London over the term of this Plan. It adds that in order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for affordable rent and 40% for intermediate rent or sale and that priority should be accorded to provision of affordable family housing.
- 5.17 Policy 3.12 states negotiation of affordable housing on individual private residential and mixed use schemes should take account of the policy aims outlined as well as individual scheme circumstances including development viability, the availability of public subsidy, phasing and other scheme requirements. The Policy also highlights the need to encourage, rather than restrain residential development.
- 5.18 Climate Change is covered in Section 5, and by Policy 5.2 which outlines that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green: use renewable energy
- 5.19 It goes on to say the Mayor will work with boroughs and developers to ensure that major developments meet the following targets for carbon dioxide emissions reduction in buildings, as an improvement on 2010 Building Regulations, as follows,
- 2010 - 2013 - 25% improvement (ie Code for Sustainable Homes level 4)
 - 2013 - 2016 - 40% improvement
 - 2016 - 2019 Non-domestic buildings - as per building regulations, residential buildings - zero carbon
 - 2019 - 2031 - Zero carbon
- 5.20 Policy 5.7 covers renewable energy and outlines that within the framework of the energy hierarchy (as set out at Policy 5.2), major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.
- 5.21 In terms of the built environment, Policy 7.1 covers Building London's Neighbourhoods and Communities and outlines that development should be

designed so that the layout, tenure, and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces), the Blue Ribbon Network, local shops, employment opportunities, commercial services and public transport.

- 5.22 The Policy adds that development should enable people to live healthy, active lives; should maximize the opportunity for community diversity, inclusion and cohesion; and should contribute to people's sense of place, safety and security and that places of work and leisure, streets, neighbourhoods, parks and open spaces should be designed to meet the needs of the community at all stages of people's lives, and should meet the principles of lifetime neighbourhoods.
- 5.23 The Policy finishes by stating that the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.
- 5.24 Local Character is covered by Policy 7.4 and outlines that buildings, streets and open spaces should provide a high quality design response that:
- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass
 - b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area
 - c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings
 - d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area
 - e) is informed by the surrounding historic environment.
- 5.25 The plan recognises the importance of good design, in Policy 7.6. It states buildings and structures should be of the highest architectural quality. The policy then sets out that they should:
- be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.
 - comprise details and materials that complement, not necessarily replicate, the local architectural character.
 - not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

- incorporate best practice in resource management and climate change mitigation and adaptation.
- provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces.
- be adaptable to different activities and land uses, particularly at ground level.
- meet the principles of inclusive design.
- optimise the potential of sites.

LOCAL DEVELOPMENT FRAMEWORK

Core Strategy

5.26 Camden's Core strategy sets out the key elements of the Council's planning vision and strategy for the Borough. It is central to the Local Development Framework and was adopted in November 2010 and covers the plan period up to 2025. The overall vision for the Borough is the 'Camden will be a borough of opportunity'. The Core Strategy provides a number of strategic objectives that guide the delivery of the vision.



5.27 Policy CS1 (Distribution of growth) states that growth will be focussed in the most suitable locations including the promotion of appropriate development in highly accessible locations such as Kilburn High Road. In addition, the Council will promote the efficient use of land and buildings by:

- seeking development that makes full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site;
- resisting development that makes inefficient use of Camden's limited land;
- expecting development that will significantly increase the demand of travel to be located in growth areas and other highly accessible parts of the borough;
- expecting high density development in Central London, town centres and other locations well served by public transport; and
- expecting the provision of a mix of uses in suitable schemes, in particular in the most accessible parts of the borough, including an element of housing where possible.

- 5.28 Policy CS3 (Other highly accessible areas) states that Kilburn High Road is a suitable location for the provision of homes. Development should be of a suitable scale and character and contributes to other Council aspirations.
- 5.29 Policy CS5 (Managing the impact of growth and development) seeks to ensure that development meets the full range of objectives of the Core Strategy and other Local Development Framework documents in particular meeting the needs and protecting amenity of existing and future residents.
- 5.30 Policy CS6 (Providing quality homes) aims to make full use of Camden's capacity for housing by maximising the supply of additional housing over the entire plan period. It goes on to state that housing is the priority land-use of Camden's Local Development Framework. The policy also states that the Council will aim to secure high quality affordable housing available for Camden households that are unable to access market housing.
- 5.31 Policy CS8b states that the Council will safeguard existing employment sites and premises in the borough that meet the needs of modern industry and other employers. But office space has more flexibility, as paragraph 8.8 says,

"The provision outlined above means that the future supply of offices in the borough can meet projected demand. Consequently, the Council will consider proposals for other uses of older office premises if they involve the provision of permanent housing (in particular, affordable housing) and community uses. Please refer to policy DP13 in Camden Development Policies for more detail on our approach."

- 5.32 In terms of Industrial and light-industrial premises, paragraph 8.10 onwards says,

"Camden has one of the lowest stocks of industrial and warehousing space among London boroughs....."

Camden has strong trading links with London's Central Activities Zone (CAZ) and the borough's industrial and warehousing businesses provide it with a range of vital goods and support services. To make sure Camden's new and existing businesses support, and benefit from, the Central London economy, we need to ensure that sites and premises of adequate quality are provided. If suitable premises are not available in Camden these types of services will increasingly be located further away from Central London, with increases in travel and congestion and a potentially negative economic affect on important Central London functions....."

In response to the factors outlined above, the Council will continue to protect industrial and warehousing sites and premises that are suitable and viable for continued use”.

- 5.33 Policy CS14 (Promoting high quality places and conserving our heritage) seeks to ensure that Camden’s places and buildings are attractive, safe and easy to use by requiring development of the highest standard of design that respects local context and character.

Development Policies

- 5.34 The Development Policies 2010 - 2025 support the Core Strategy by setting out additional planning policies that the Council will use when making decisions on applications for planning permission. This document was also adopted in November 2010.



- 5.35 Policy DP1 (Mixed use development) requires a mix of uses in development where appropriate in all parts of the borough, including a contribution towards the supply of housing. In considering the appropriateness of mixed-use development the Council will take into account:

- the character of the development, the site and the area;
- site size, the extent of the additional floorspace, and constraints on including a mix of uses;
- whether the sole or primary use proposed is housing;
- whether secondary uses would be incompatible with the character of the primary use;
- whether the development is publicly funded;
- any other planning objectives considered to be a priority for the site.

- 5.36 Policy DP2 Making full use of Camden’s capacity for housing seeks to maximise the supply of additional homes in the Borough. Policy DP2 will seek to maximise the supply of additional housing in the Borough by expecting the maximum appropriate contribution to supply of housing on sites that are underused or vacant, taking into account any other uses that are needed on the site.

- 5.37 Policy DP3 (Contributions to the supply of affordable housing) requires the provision of affordable housing from sites comprising 10 or more units. Policy DP5 (Homes of different sizes) seeks to secure a mix and range of self-contained homes. This is reflected in the dwelling size priority table. This shows there is a

very high need for 2 bedroom market houses / flats, a lower need for 1 bedroom market properties and medium need for 3 bed and 4 bedroom market properties.

Dwelling Size Priorities Table					
	1-bed (or studio)	2-bed	3-bed	4-bed or more	Aim
Social rented	lower	medium	High	very high	50% large
Intermediate affordable	medium	high	High	high	10% large
Market	lower	very high	medium	medium	40% 2-bed

- 5.38 Policy DP6 (Lifetime homes and wheelchair housing) requires that all new housing should meet the lifetime homes standards. Further guidance is provided in the CPG 2 housing section 5 on lifetime homes and the standards required to meet this.
- 5.39 Policy DP13 (Employment premises and sites) states that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and that there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.
- 5.40 Where a change of use has been justified to the Council's satisfaction, some business use on site should be maintained. DP13 states that the Council will retain land and buildings in business use unless: a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for business use/ and b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time (2 years).
- 5.41 Where it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential use. Justification for any loss of employment use will need to be provided within planning statement. Supporting evidence may be required.

"Where premises or sites are suitable for continued business use, the Council will consider redevelopment proposals for mixed use schemes provided that:

c) the level of employment floorspace is maintained or increased;

d) they include other priority uses, such as housing and affordable housing;

- e) premises suitable for new, small or medium enterprises are provided;*
f) floorspace suitable for either light industrial, industry or warehousing uses is re-provided where the site has been used for these uses or for offices in premises that are suitable for other business uses;
g) the proposed non-employment uses will not prejudice continued industrial use in the surrounding area.”

- 5.42 Policy DP22 Promoting sustainable design and construction requires development to incorporate sustainable design and construction measures. Schemes must demonstrate how sustainable design principles have been incorporated into the design and proposed implementation and incorporate green or brown roofs and green walls where suitable. The Council also requires development to be resilient to climate change by ensuring schemes include appropriate climate change adaptation measures.
- 5.43 Policy DP24 (Securing high quality design) requires all development including alteration and extensions to existing buildings to be of the highest standard of design and identifies a number of criteria that need to be considered, including but not limited to; character, setting, context, form and scale of neighbouring buildings.
- 5.44 Policy DP26 (Managing the impact of development on occupiers and neighbours) which seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that does not harm amenity including, visual privacy, overlooking overshadowing and outlook, sunlight, daylight and artificial levels, noise, odour etc.
- 5.45 Other relevant policies include Policy DP18 (Parking standards), DP19 Managing the impact of parking and Policy DP23 (Water).

Camden Planning Guidance

- 5.46 This is a Supplementary planning document (SPD), these give detailed guidance, and although they do not form part of the statutory development plan and does not have the same weight it will be a material consideration in decision making.
- 5.47 Camden Planning Guidance (CPG) 2 Housing sets out the residential development standards and defines self-contained units and habitable rooms. Internal space standards include minimum ceiling heights (2.3m), space and room sizes (by person / minimum floorspace), storage and utility spaces, daylight,

sunlight and privacy and security. It also looks at noise and soundproofing, outdoor amenity space.

5.48 Detailed guidance relating to Policy DP13 is set out in CPG5, which says.

“Camden’s Core Strategy sets out the projected demand and planned supply of office floorspace in the borough. We expect the supply of offices to meet the projected demand over the plan period and as a result we may allow a change from B1(a) offices to another use in some circumstances.....”

“Camden has a very restricted supply of sites and premises suitable for light industrial, storage and distribution uses. This means that there is a high level of demand for the remaining sites and that the majority of sites are well occupied and able to secure relatively high rents as long as they have good access and separation from conflicting premises.”

Policy Summary

5.49 From the above analysis of the planning policy framework there are five main issues which emerge. These are:

- The importance of making the most efficient use of land, through the encouragement of mixed use developments in sustainable locations;
- The need to maximise the provision of new homes throughout London, including affordable homes;
- The requirement to protect and enhance commercial uses and employment functions to meet the needs of the growing and diverse population;
- The advantages of providing development at the site to encourage regeneration within the area; and
- The importance of good design to ensure that development enhances the character and appearance of the area.

6.0 PLANNING ASSESSMENT - KEY ISSUES

6.1 In light of the redevelopment objectives of the applicants and in the context of the planning policy position outlined above, the following paragraphs consider the key issues and themes associated with the application proposals.

The Principle of Redevelopment

6.2 The general thrust of national, regional and local policies is to secure sustainable patterns of development and the re-use of previously developed urban land. This objective is the common thread running through Government Guidance, the London Plan and Camden Local Plan which all encourage mixed use redevelopment to result in sustainable development and sustainable communities.

6.3 Both Government Guidance and the London Plan encourage residential development on non-strategic employment land in order to make optimum use of valuable urban land and achieve increased levels of residential development on brownfield sites to contribute towards urban renaissance and sustainable development.

6.4 Policy CS3 states that Kilburn High Road is a suitable location for the provision of homes and Policy CS6 (Providing quality homes) states that housing is the priority land-use of Camden's Local Development Framework.

6.5 In this context, residential development is considered appropriate for this site, given the scale of development and the central location, as outlined by planning policy and the need to create vibrant sustainable communities. Higher density residential developments such as this are becoming increasingly important in urban locations where they can breathe new life into formerly neglected areas, transforming them into vibrant communities.

6.6 The London Plan specifically encourages residential uses on vacant or underused sites to stimulate regeneration and as a valuable source of housing and other much needed uses upon brownfield sites. The site is not identified / designated for any employment use and is well located being adjacent to Kilburn town centre and is therefore considered appropriate in principle for redevelopment in accordance with Local Plan Policies, the London Plan and Government Guidance.

Loss of Commercial Use

- 6.7 The principle of redevelopment for this site is strongly supported by planning policy. The need for regeneration within London is a main focus of planning policy at both a regional and national level. Furthermore the existing site is brownfield in an urban, accessible location, where redevelopment is encouraged, in particular in the London Plan.
- 6.8 The existing site is not suited to the long term needs of businesses that could operate from the site and a redevelopment will contribute towards the long-term well being of the area. The existing buildings are of poor quality and their reuse would not be either viable or sustainable and therefore without new development proposals the fabric of the site would deteriorate.
- 6.9 Policy DP13 requires it to be demonstrated that the buildings on site are no longer suitable for business use. Having regard to the principles and objectives of Policy DP13 and CPG5, Appendix CMA1 includes a detailed analysis of the site's current employment offer and that in the surrounding area. In conclusion, the proposal seeks to provide the maximum level of commercial space possible, whilst ensuring it is good quality space and comes as close as possible to meeting the Category 1 criteria.
- 6.10 This does result in a relatively small loss of space when considered on a sqm basis, but would see a significant improvement in the quality. As such, it is felt that the overall employment 'offer' would be enhanced. In addition, the previous occupiers of the now vacant site have provided a letter setting out their view of the commercial viability and suitability of the site for continuing commercial use (Appendix CMA2).
- 6.11 Policy DP2 seeks to make a contribution to housing provision on sites that are underused or vacant. As set out above, the site is underused and the current employment use was unviable and unsustainable. As such, the reuse of this vacant site for residential with commercial space, is considered an appropriate use of the site and in accordance with Policy DP2.
- 6.12 In terms of the existing vacant buildings on site that would be demolished, they contain 1470 sqm of employment / commercial space. The proposal would result in the creation of 955 sqm of new flexible business/commercial floorspace, ensuring there is 65% reprovision of space. The proposal would result in the creation of high quality business accommodation designed with modern

businesses in mind and given this, it is felt that the level of commercial floorspace proposed is acceptable, as set out at appendix CMA1.

- 6.13 Clearly a key feature of commercial space is to deliver jobs, and the existing commercial units were not used that intensively before they were vacated, with many used for storage purposes, for example. Using English Partnership employment density figures, it could be estimated the existing commercial units have the potential to employ 29 people (based on 'general storage' figure of 1:50 sqm), but the new space could employ 49 people (based on 'general office' at 1:20 sqm), an increase of 69%.
- 6.14 The development would result in the delivery of a significant proportion of modern commercial floorspace in the area and improve the quality of accommodation available whilst developing a site within an area in urgent need of regeneration. The new units would be high quality and would be light, airy and sustainable.
- 6.15 It is considered that this would give a good balance between the differing uses on the site. Given the above, and the identified need for regeneration, new homes and new commercial space, the principle of redeveloping this site for a comprehensive, high density mixed use development should be supported.
- 6.16 The proposal would result in the loss of poor quality employment space and the provision of new better quality employment floorspace thereby providing sustainable / permanent jobs and contributing towards the London Plan's and the Council's strategic employment objectives with regard to employment sites.

Economic Benefits

- 6.17 The CITB have estimated that to build each home requires 1.5 people in direct construction employment [CITB and HBF Report 'The Labour Needs of Extra Housing Output: Can the Housebuilding Industry Cope?', Michael Ball (September, 2005)], meaning the contract should employ 90 people full time throughout its duration not counting those required for the construction of the commercial floorspace.
- 6.18 Beyond the specific site and support staff directly employed, the Home Builders Federation (HBF) in their document 'Building a Recovery' (December 2010) estimates that for each home constructed four extra jobs are created in the wider economy outside of construction (primary industries, manufacturing and services). This would mean a further 240 jobs around the development.

Additional Council Tax Receipts and New Homes Bonus

- 6.19 The proposed development would provide a total of 60 new homes, which would have a beneficial impact on the Council's annual Council Tax receipts. In addition, following the introduction of the New Homes Bonus in April 2011, the Government will match fund the additional Council Tax raised for new homes with an additional amount for affordable homes, for the following six years, which could be a figure in excess of £1.5 million.

Additional Consumer Spending

- 6.20 The redevelopment will generate 60 additional households and the new residential population of these homes will increase household spending in the local area and beyond. The latest Family Spending Survey published by The ONS in 2011 shows that the average weekly household expenditure in London during 2010 was £577.80. The survey also shows that on average each household in London spends £87.00 per week on housing costs. Since this spending typically goes to major national institutions with only modest impacts on the local economy, this analysis deducts spending on housing from average weekly household expenditure.
- 6.21 This means that during 2010 (net) average weekly household expenditure in London was £490.80 which is equivalent to an annual figure of £25,522 in 2010 prices. Assuming that VAT of 17.5% (the prevailing rate in 2010) had been paid on all of this spending, the average annual household expenditure (net of indirect taxation and housing costs) was £21,056 for London during 2010.
- 6.22 Based on the assumptions set out above, it is estimated that the gross additional household expenditure generated by the additional 60 new homes would be approximately £1.3 million per annum at 2010 prices. This assumes that the additional residential units are fully occupied and that residents demonstrate spending patterns that reflect averages for the region as a whole.
- 6.23 This additional household expenditure is a gross effect. Some of this spending may be spent out of the local area. We have therefore assumed that 25% of the additional household expenditure generated by the scheme will be spent outside of the local area. This still means that the net additional household expenditure generated by the scheme in the local area is likely to be in the region of £1 million per annum at 2010 prices.

Housing Need

- 6.24 A combination of the growing demand for new homes and an increasingly buoyant local housing market mean that housing prices are rising quickly resulting in many local residents being priced out of the market. This presents a challenge to the creation of sustainable, cohesive communities in the Borough. Demand for private sector housing in the Borough is insatiable and, given the relatively little development land available, can never be met. For that reason, the Borough must make the best use of available sites.
- 6.25 In accordance with the general objectives of national planning guidance, Camden's Local Plan seeks to encourage residential developments on windfall sites and recognises the increasing importance of recycling brownfield land in order to meet the growing demand for housing in the Borough. New homes will need to take into account the vibrancy and diversity of the community and address the shortage of affordable accommodation.
- 6.26 The London Plan recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners with Policy 3.3 seeking the maximum provision of additional housing and Policy 3.4 requiring boroughs to ensure developments optimise the potential of sites.
- 6.27 To help tackle some of these issues, Policy CS6 from the Core Strategy states the Council is seeking to deliver 5,950 additional homes from 2007-2017 (ie 595 per year) in line with the then housing targets set out in the London Plan. The current London Plan target has increased to 889 new homes per year. Policy DP3 seeks to maximise the delivery of affordable housing.
- 6.28 The latest London Annual Monitoring Report was published in July 2014 by the GLA, and covers the period from 2012 to 2013. KPI indicator 4 covers the delivery of new homes, as shows that for the last year, Camden only achieved 33% of its target, ie a shortfall of 444 homes, as the extract from Table 2.7 below shows.

TABLE 2.7 NUMBER OF NET HOUSING COMPLETIONS BY BOROUGH 2012/13						
BOROUGH	NET CONV	NET NON-CONV	LONG-TERM EMPTY HOMES RETURNING TO USE	TOTAL	LONDON PLAN TARGET	% OF TARGET
Camden	564	-21	-322	221	665	33

- 6.29 This is confirmed by the Borough's own Annual Monitoring Report for the same period, which also shows a shortfall of 120 homes. It is acknowledged that the longer term performance is better, due to a large number of homes delivered in 2008/09, but the performance since then has not been so good, with three out of the last four years missing target.
- 6.30 The shortage of housing is a national issue and it is clear that there is increasing pressure upon the London Borough of Camden to provide for additional new homes in order to meet the needs of the Borough and contribute towards the needs of London as a whole. Furthermore, the need to provide for new development in a sustainable manner has highlighted the need to make the most efficient use of valuable urban land in order to reduce pressures upon other resources.
- 6.31 The proposed development would provide 60 new dwellings, with a mix of unit sizes, which would contribute towards the above need and improve the quality of the housing stock, contributing towards Camden Council's housing targets in a sustainable way. The proposed tenure of the units is set out in detail in section 3 of this report.

Housing Mix & Quality

- 6.32 The scheme has been designed to provide a good mix housing sizes and dwelling types to meet a variety of needs. The current proposals comprise 60 homes. Family provision, units of 3-beds or more, is 14 units (23%). Given the location of the site it is considered this is a good provision and there is also a reasonable split between 1 (19 units) and 2 (27 units) bed units.
- 6.33 The affordable provision amounts to 15 units which is 25% measured by floorspace. The affordable provision is split 61:39 between affordable / social rent and intermediate tenures (on a floorspace basis).
- 6.34 It is recognised this is below the 50% target level set out by LBC policy, but the Viability Report submitted with the application justifies this level proposed. It is also worth highlighting Policy 3.12 of the London Plan which covers the provision of affordable housing and states:
- "Negotiations on sites should take account of their individual circumstances including development viability...."*
- 6.35 Whilst paragraph 3.73 goes on to say,

“The Mayor wishes to encourage, not restrain, overall residential development. Boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis.”

- 6.36 The Policy 3.12 is clear on the need to encourage rather than restrain residential development, whilst considering individual circumstances including development viability. Given the current market, it is considered that 25% affordable provision is a ‘good’ level to secure.
- 6.37 Planning policies require that all new housing is built to ‘Lifetime Homes’ standards and that 10% of units within schemes such as this should be easily adaptable and wheelchair accessible. Both of these requirements would be satisfied within the current scheme.
- 6.38 In terms of residential quality, none of the units solely face north and all amenity space faces either east or west. All dwellings have separate storage areas. The scheme has been designed to exceed the London Plan minimum dwelling size requirements and in general, it is considered that the scheme would work well. All flats enjoy good aspect from their living rooms and offer good standards of amenity.

Car Parking and Transport Matters

- 6.39 The site is situated within a highly sustainable location with a PTAL of 6a, close to underground and overground stations and numerous bus routes, as set out in the Transport Statement submitted with the application. As a result and in accordance with the Council’s parking standards, the scheme proposes zero car parking provision.
- 6.40 The proposed level of parking will encourage travel by alternative modes to the private car in accordance with the Council’s policies. A total of 85 cycle parking spaces will be provided within secure stores at a ground floor level.
- 6.41 The site falls within a Controlled Parking Zone (CPZ), with parking being restricted. As detailed below, the proposed Section 106 obligation would include a contribution towards amending the local Traffic Management Order to restrict future occupiers from obtaining parking permits. This would prevent future residents of the development from being able to park on street within these CPZs and control on street parking.

6.42 The site is well located to benefit from access to community facilities such as local parks, library and schools along Kilburn High Road and in its vicinity. With regard to the transport impact of the proposals on the surrounding transport infrastructure, taking into consideration of the previous site use and the fact that the proposals are car free means that there will be a negligible impact on the local highway. In addition, it is expected that the number of pedestrians, cyclists and public transport users will increase, however, this rise will be accommodated and will not have an effect on the local transport network.

6.43 In conclusion, and as detailed in the Transport Assessment submitted with the application, it is considered that the development is fully compliant with local, regional and national policy with regards to transport issues.

Amenity Space Provision

6.44 There are numerous planning policies which seek to ensure that all new developments provide sufficient amenity space to meet the needs of residents, and the scheme has been designed to incorporate suitable levels of amenity space through the provision of balconies for the residential properties and a further communal space for the commercial properties. The scheme therefore provides suitable levels of amenity space for residents in accordance with Local Plan policies, as set out below.

6.45 As set out earlier, the site also adjoins Kilburn Grange Park, which would offer excellent amenity facilities to all future residents at the site.

Private Amenity Space

6.46 In terms of private amenity space, all of the proposed dwellings have access to their own private space, in the form of good size balconies. The London Plan Housing SPD set minimum space standards for private open space with a minimum of 5 sqm required for 1-2 person dwellings and an extra 1 sqm to be provided for each additional occupant. All of proposed balconies reach or exceed these minimums.

6.47 The proposed balconies vary in size and shape, but all have a minimum depth of at least 1.5m in compliance with the standards.

Design & Massing Issues

6.48 In terms of design, this application includes a Design & Access Statement produced by Claridge Architects, which summarises the design rationale. But in

summary, National Guidance in the NPPF places considerable emphasis on the importance of achieving high quality design. The London Plan also emphasises the need for high quality design to ensure that new developments are in-keeping with the local character of established areas of townscape.

6.49 The proposals have been carefully designed to ensure they respond positively to the site's location and setting. The scale and massing of the proposals is considered to respond positively to the prevailing urban form and would improve the character and appearance of the area. This is especially so given the poor quality of the existing buildings on the site.

6.50 As set out in the Design & Access Statement, the scheme achieves a high architectural quality, with innovation in the design of the building. These reports set out the consideration of its scale, form, massing, footprint, proportion and silhouette, facing materials, relationship to other buildings and structures, the street network, public and private open spaces and show how the proposal works within its context.

6.51 The scale and massing has been designed to achieve the highest appropriate density for the development, given its highly sustainable location, whilst responding to and respecting the nature of the surroundings. The visuals and analysis of the proposal contained in the Design & Access Statement submitted with the application illustrates this, as does the sketch image below.



6.52 In terms of outlook and aspect from the dwellings, this addressed in the Design & Access Statement, but in summary, the scheme has been designed to prevent any overlooking within the scheme, and ensure that reasonable aspect to the flats

is provided. Distances to the adjoining blocks of flats are such they minimise the potential for overlooking.

6.53 National Guidance places considerable emphasis on the importance of achieving high quality design. The London Plan and the Local Plan also emphasises the need for high quality design to ensure that new developments are in-keeping with the local character of established areas of townscape. As set out in the Design & Access Statement submitted with the application, the proposal meets these key objectives.

6.54 In summary, the proposals have been carefully designed to ensure they respond positively to the site's location and setting. The scale and massing of the proposals is considered to respond positively to the prevailing urban form and would improve the character and appearance of the area. Due to the poor quality of the existing site, it is considered the proposal would enhance the character and appearance of the area.

Density

6.55 Given the Central setting and the accessibility level of the site, the London Plan Density Matrix gives a density range of 650-1100 habitable rooms per hectare (hrph) and 215 to 405 dwellings per hectare (dph).

6.56 Given the 0.2 ha site area and the 175 habitable rooms / 60 dwellings proposed, the scheme has density figures of 875 hrph or 300 dph, within the density ranges set out in the London Plan. Having regard to this and the design based approach taken, as in the Design & Access Statement submitted with the application, and the quality of the residential accommodation proposed, as set out earlier, is entirely appropriate for the site.

Sustainability

6.57 This proposal will be sustainable, conforming to policy objectives, as detailed in the Energy Statement submitted as part of this application. This confirms that the proposal would have meet Code for Sustainable Homes Level 4 for the residential units and the commercial units will achieve BREAAAM Excellent. In accordance with the Energy Hierarchy, passive design measures, energy efficient equipment and LZC technologies have been shown to provide a 43.9% improvement over the Building Regulations 2010 Target Emissions Rate (TER), as well as an overall 16.7% saving in carbon emissions from renewable technologies comprising 192 PV panels mounted onto the roof of the proposals.

6.58 More details are set out in the Energy Statement and Code for Sustainable Homes / BREEAM pre-assessment submitted with the application.

Section 106 / CIL Matters

6.59 As part of this proposal, a detailed Section 106 Planning Obligation will be required to ensure off site / on site requirements are secured and delivered. The Government's policy in respect of planning obligations (as set out in Circular 05/2005) has been well established for some time. From the 6th April 2010 the Community Infrastructure Levy (CIL) Regulations gave these policy tests legal force. Regulation 122 provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make to the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related to the scale and kind to the development."

6.60 This has had the effect requiring greater scrutiny of financial contributions within Section 106 Agreements. It is important to ensure that planning obligations are genuinely "necessary" and "directly related to the development".

6.61 In addition to the s106, the scheme would also be liable for Community Infrastructure Levy payments. This would include the London Mayoral CIL, which is chargeable at a rate for £50 per sqm in this location. It is estimated that the Mayoral CIL liability would be in the region of £160,000.

6.62 In terms of the local CIL, Camden has adopted their own local Charging Schedule. This splits the Borough into three zones, with this site falling in Zone B. As such, the tariff would be £250 per sqm for the residential element and £25 per sqm for the commercial element.

6.63 Given this, the s106 would cover both site specific items only. As such, the proposed initial Heads of Terms are as follows,

- Provision of Affordable Housing, as set out above.
- Car Free - No Residents' Parking Permits - No resident be entitled to a resident or visitors car-parking permit (with exception of disabled residents).
- Use of local labour on site during construction including training (ie apprentice) opportunities.

- The signing of a Section 278 legal agreement under the Highways Act to pay the Council to reinstate and improve the footway adjacent to the boundary of the site.
- All residential units built to Lifetime Homes standards and commercial space to achieve BREEAM Excellent.
- Considerate Constructors Scheme - the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.

6.64 These Heads of Terms are put forward on a 'without prejudice' basis and will be subject to further discussion with the local planning authority and other stakeholders. It should be noted that due to the viability issues of the project, the scope for making any additional contributions is limited.

7.0 SUMMARY AND CONCLUSIONS

- 7.1 This Planning Statement is submitted in support of proposals to regenerate this site. The proposal is to provide commercial floorspace along with residential accommodation, which would provide a genuine contribution to the regeneration of the area.
- 7.2 As it currently stands the existing site represents an inefficient use of land that is indefensible in light of current planning guidance. The proposed development offers the opportunity for a “win win” outcome whereby new, high-quality homes and commercial space can be provided in a highly sustainable mixed-use manner.
- 7.3 Mixed-use developments and sustainability are at the forefront of current planning policy. Mixed-use developments are becoming increasingly important in urban locations where they can breathe new life into neglected areas transforming them into vibrant communities.
- 7.4 The London Plan is a strong advocate of this approach, pushing for the redevelopment of this type of site to encourage more efficient use of land. The Plan seeks to ensure that densities of development in appropriate locations be maximised and encourages mixed use developments such as this proposal.
- 7.5 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. There are three dimensions to sustainable development: economic, social and environmental. In terms of economics, the proposal would create many jobs during construction and operation, a good proportion of which would be filled by local people and could include new training facilities as well. The social role benefits are clear cut - the provision of new homes, including many family homes, to meet the needs of present and future generations. By creating a high quality built environment, the environmental element would be provided for as well. As such, the presumption in favour of development would hold.
- 7.6 The proposal represents a significant opportunity and the redevelopment of this site in a sustainable manner would send out a clear message that regeneration is taking place and continuing, acting as a catalyst for further investment in the area. The design of the proposal is of a high quality and has been formulated in response to the site’s location next to Kilburn Grange Park. It would enhance the character and appearance of the area.

- 7.7 In summary the scheme would deliver the following benefits:
- the redevelopment of an under-utilised and unattractive site and the provision of a high-quality new building that would enhance the local environment;
 - a sustainable mix of uses that makes the best use of a unique brownfield site in accordance with the prevailing planning policy and guidance;
 - provision of a new commercial space which would deliver significant long-term benefits; and
 - provide 60 new homes, that would meet a recognised need in the borough and also serve to enliven and strengthen the existing community.
- 7.8 It is intended to develop the existing site with modern, high quality building, which would enhance the area and assist with the continuing regeneration. It would provide much needed new commercial space and would also provide much needed new homes.
- 7.9 It is considered that the application proposal represents an exciting opportunity to deliver a sustainable residential scheme within a high-quality development which would provide a significant benefit to the local area. For these reasons, it is considered the scheme is acceptable in planning terms, and therefore that planning permission should be granted.

APPENDIX CMA 1

Employment Review Note

Kilburn High Road - Employment Use Note - February 2014

Existing Floorspace

Existing useable space on site comprises the following,

- B1a office - 357 sqm (183 sqm at ground and 174 sqm on upper levels)
- B1c light industrial - 253 sqm
- B8 storage - 860 sqm

Total = 1470 sqm, of which 1296 sqm is on the ground floor (see page 26 onwards of pre-app document).

Loss of Existing Employment Uses Policies

Policy CS8b states that the Council will safeguard existing employment sites and premises in the borough that meet the needs of modern industry and other employers.

But office space has more flexibility, as paragraph 8.8 says,

"The provision outlined above means that the future supply of offices in the borough can meet projected demand. Consequently, the Council will consider proposals for other uses of older office premises if they involve the provision of permanent housing (in particular, affordable housing) and community uses. Please refer to policy DP13 in Camden Development Policies for more detail on our approach."

In terms of Industrial and light-industrial premises, paragraph 8.10 onwards says,

"Camden has one of the lowest stocks of industrial and warehousing space among London boroughs....."

Camden has strong trading links with London's Central Activities Zone (CAZ) and the borough's industrial and warehousing businesses provide it with a range of vital goods and support services. To make sure Camden's new and existing businesses support, and benefit from, the Central London economy, we need to ensure that sites and premises of adequate quality are provided. If suitable premises are not available in Camden these types of services will increasingly be located further away from Central London, with increases in travel and congestion and a potentially negative economic affect on important Central London functions....."

In response to the factors outlined above, the Council will continue to protect industrial and warehousing sites and premises that are suitable and viable for continued use".

DP13 states that the Council will retain land and buildings in business use unless: a) it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for business use/ and b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time (2 years).

Where it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential use. Justification for any loss of employment use will need to be provided within planning statement. Supporting evidence may be required.

"Where premises or sites are suitable for continued business use, the Council will consider redevelopment proposals for mixed use schemes provided that:

- c) the level of employment floorspace is maintained or increased;*
- d) they include other priority uses, such as housing and affordable housing;*

- e) premises suitable for new, small or medium enterprises are provided;*
f) floorspace suitable for either light industrial, industry or warehousing uses is re-provided where the site has been used for these uses or for offices in premises that are suitable for other business uses;
g) the proposed non-employment uses will not prejudice continued industrial use in the surrounding area.”

Detailed guidance for this is then set out in CPG5, which says.

“Camden’s Core Strategy sets out the projected demand and planned supply of office floorspace in the borough. We expect the supply of offices to meet the projected demand over the plan period and as a result we may allow a change from B1(a) offices to another use in some circumstances.....”

“Camden has a very restricted supply of sites and premises suitable for light industrial, storage and distribution uses. This means that there is a high level of demand for the remaining sites and that the majority of sites are well occupied and able to secure relatively high rents as long as they have good access and separation from conflicting premises.”

Existing Site Review

The SPG then identifies three main categories of sites and premises. Below we have set out a review of the existing and proposed commercial space, considered against the three categories.

Category 1	Existing	Proposed
Purpose built accommodation	Probably, although space is old and has been adapted over the years	Yes
Predominantly single storey premises	Mainly, but with upper level offices	Yes
Clear, high ceiling heights	No	No
High loading bays and doors (min 5.5m high)	No	No
Access for large delivery and servicing vehicles both into and around the site	No - largest possible is a LG Rigid vehicle or a Mercedes Sprinter Van	No - will be same as existing
24 hour operation with unrestricted loading access	In theory yes, but in practice no due to proximity of adjoining residential properties	Situation remains unchanged.
Minimal risk that the 24-hour operation will adversely harm the amenity of neighbouring properties	No - there are adjoining residential properties close by, with windows facing site.	No - situation remains unchanged.

Category 2	Existing	Proposed
Good access for servicing and delivery	No - as above	No - but the situation remains unchanged.
Slightly more restricted hours of operation than Category 1 sites;	In theory, no restrictions, but in practice, anti social hours are likely to result in complaints from adjoining	Situation would remain unchanged.

	residential properties	
Roller shutter doors	Only to some buildings within the site	Yes
Clear, high floor to ceiling heights (3-5m);	Yes	Yes
Lots of natural light;	No - limited windows	No - limited windows, but likely to have more than existing
Level access - normally ground floor	No - there are upper floors	Yes
Flexible neighbouring uses;	No - residential units nearby	Situation remains unchanged.
Limited number of upper floors with goods lift access	Two upper floors, with no lift	No upper floors
Some off street parking	Only at expense of servicing area	Situation remains unchanged.

Category 3	Existing	Proposed
Small, isolated premises	Yes	Yes
Poor access - narrow streets, small doors, steps	Yes	Yes
No goods lifts	Yes	Not applicable
Little or no space for servicing	Yes	Yes
Incompatible neighbouring uses (most often residential);	Yes	Yes
Lower ground or basement level	No	No

From this review, two key points can be seen. Firstly, that the existing site would fall within Category 3. The SPG says of Category 3 sites that they “*are heavily compromised and may not be suitable for continued industrial use when they become empty or need significant investment, although they could be suitable for office B1(a) space*”. As such, it is considered that an argument could be made to release this site from industrial / storage and distribution use.

The second point is that proposed space meets many more of the criteria within Categories 1 and 2 than the existing space - ie it represents a good improvement over the existing situation. It is also worth highlighting that many of the reasons why the proposed accommodation could not be considered fully to be Category 1 or 2 relate to fixed aspects of the site, such as the neighbouring land uses and the access.

In technical terms, the proposal does represent a loss of commercial accommodation, from 1470 sqm to 1044 sqm. However, 174 sqm of the existing accommodation is located on upper floors, has been empty for many years and is in office use, which is considered less important in LBC policy terms. Given these three points, it is considered more relevant to look at the ground level space, which totals 1296 sqm.

The SPG at 7.15 states that the characteristics that make new industrial premises successful are similar to Categories 1 and 2 above and that ideally, new space should resemble Category 1 as closely as possible. As set out above, Category 1 sites should be set over a single level. The SPG also says that an important feature

is a 50-70% site coverage (to allow for delivery/servicing access). The site area comes to 2077 sqm, which would equal 1039 sqm to 1453 sqm of space (ie the proposed 1044 sqm falls within this range).

The attached diagrams in the pre-app document (pages 78 onwards) highlight how 100% re-provision of space (option 1) could be provided on site, but as can be seen, this outcome does not represent a practical solution, with limited space for servicing and no parking, even for disabled units. Upper level commercial space could be added, but the SPG gives a clear preference to single level, ground floor space. As such, there is a contradiction for this specific site between seeking 100% plus re-provision on a sqm basis of commercial space and providing good quality commercial space.

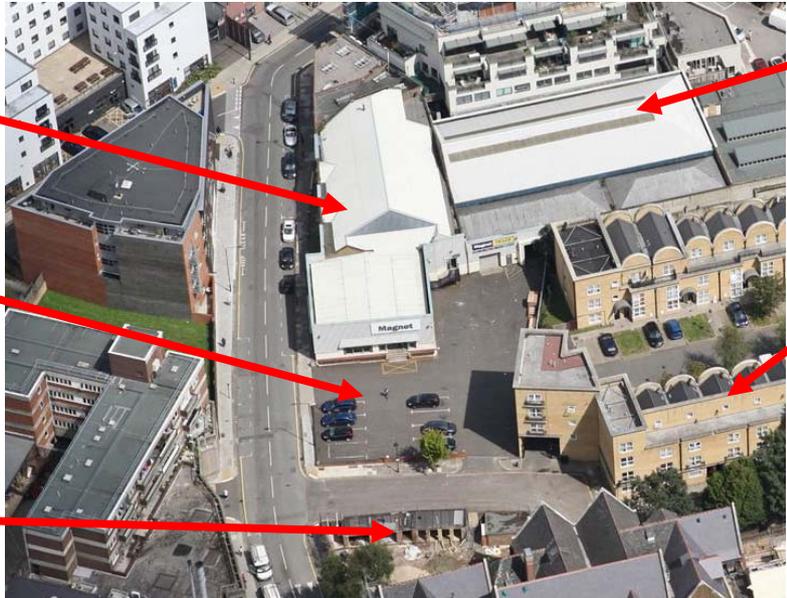
The pre-app document does also consider a comprise solution on page 79 (option 2), but this still leaves limited room for servicing and only very limited parking spaces. It also results in a commercial unit (number 1) which is very deep plan, which would have limited light (which the SPG confirms is a negative point). Given the above, it is considered Option 3 gives a better solution. There would be an overall loss of space, but it is considered that the resulting space would be better quality and more usable. With 1044 sqm provided, it also represents a significant increase from the 241 sqm put forward previously.

Conclusion

The proposal seeks to provide the maximum level of commercial space possible, whilst ensuring it is good quality space and comes as close as possible to meeting the Category 1 criteria. This does result in a small loss of space when considered on a sqm basis, but would see a significant improvement in the quality. As such, it is felt that the overall employment 'offer' would be enhanced.

Employment Site Comparison

As set out above, the existing site is considered to fall within Category 3. To highlight this and why it performs badly, below some of the issues are highlighted, against a more modern employment offer within the Borough.

<p>No frontage to main road</p> <p>Narrow service road to access site</p> <p>Small service yard, with limited parking</p>	<p>254 Kilburn High Road</p> 	<p>Mix of surrounding uses, including residential</p> <p>Random mix of old buildings, with small footprints,</p> <p>3 storey element, with no lift</p>
<p>Good frontage to road</p> <p>Large open service yard and parking area</p> <p>Wide access road to site</p>	<p>65-69 Holmes Road</p> 	<p>Big modern single storey warehouse unit, with high ceilings and large footprints</p> <p>Mix of surrounding uses, including residential</p>

APPENDIX CMA 2

Letter from Venice Marbles